

UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/656,029	09/05/2003	Michael Allen Whitney	VPI/02-143 US2

James J. Wong
Vertex Pharmaceuticals Incorporated
130 Waverly Street
Cambridge, MA 02139-4242

CONFIRMATION NO. 8813
FORMALITIES LETTER



OC000000012370026

Date Mailed: 04/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

08/18/2004 FFANIA2 00000044 500725 10656029

02 FC:1051

130.00 DA

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

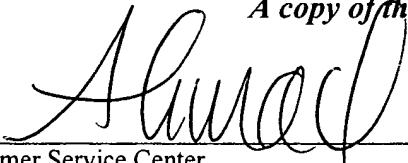
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Certificate Of Mailing Under 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

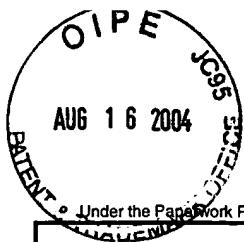
Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On August 11, 2004.
Date

1. Fee Transmittal Sheet (1 page, in duplicate);
2. Petition for 2 Month Extension of Time (1 page, in duplicate);
3. Response to NTFMP (2 pages, in duplicate);
4. Copy of Notice to File Missing Part of Nonprovisional Application;
5. Executed Declaration/Power of Attorney document (9 pages);
6. Submission of Paper Copy and CR Copy of Sequence Listing (2 pages, in duplicate);
7. Statement Accompanying Sequence Listing (1 page);
8. Sequence Listing (102 pages);
9. Certificate of Express Mail page; and
10. This Return Postcard Receipt.


Signature

Karen DiRocco
Typed or printed name of person signing Certificate



PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 550.00)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number 50-0725

Deposit Account Name Vertex Pharmaceuticals

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20** =	Extra Claims	Fee from below	Fee Paid
Independent Claims	-3** =			
Multiple Dependent			290.00	=

Large Entity Small Entity

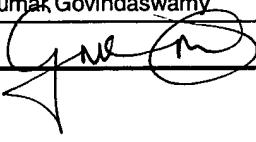
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

Complete if Known	
Application Number	10/656,029
Filing Date	September 5, 2003
First Named Inventor	Michael Allen Whitney
Examiner Name	Not Yet Assigned
Group Art Unit	1636
Attorney Docket No.	VPI/02-143 US2

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	420.00
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)			
		550.00			

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Nandakumar Govindaswamy	Registration No. (Attorney/Agent)	Ltd. Recognition	Telephone	(617) 444-6619		
Signature				Date	August 11, 2004		



VPI/02-143 US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Allen Whitney, et al.

Serial No.: 10/656,029

Filing Date: September 5, 2003

Group Art Unit: 1636

Examiner: Not Yet Assigned

Confirmation No.: 8813

For: METHODS AND COMPOSITIONS FOR RAPID
DEVELOPMENT OF SCREENING ASSAYS

Cambridge, Massachusetts
August 11, 2004

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE TO THE
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

Transmitted herewith in response to the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted, mailed April 15, 2004 in the above-identified application, are the following:

1. Faxcover Sheet to the Patent Office (1 page)
2. Fee Transmittal for FY 2004 (1 page, in duplicate);
3. Notice to File Missing Parts of Nonprovisional Application (2 pages); and
4. Executed Declaration document (9 pages).

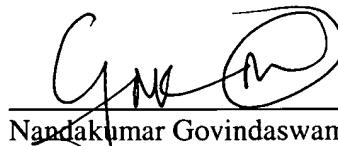
Atty. Docket No.: VPI/02-143 US2
U.S.S.N.: 10/656,029
Applicants: Whitney, et al.

-2-

Applicants hereby authorize the Commissioner to charge Deposit Account No. 50-0725 in the amount of \$130.00 to cover the filing fee and the surcharge (see 37 C.F.R. §1.27 and 37 C.F.R. §1.16(e)).

Applicants believe that no additional fees are due at this time. However, the Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. §1.16 in connection with the papers transmitted herewith, or credit any overpayment of the same, to Deposit Account No. 50-0725. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Nandakumar Govindaswamy, Ltd. Recognition
Attorneys for Applicants
c/o Vertex Pharmaceuticals Incorporated
130 Waverly Street
Cambridge, MA 02139-4242
Tel.: (617) 444-6619
Fax.: (617) 444-6483



Attorney Docket No. VPI/02-143 US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Michael Allen Whitney, et al.
SERIAL NUMBER: 10/656,029 EXAMINER: Not Yet Assigned
FILING DATE: September 5, 2003 ART UNIT: 1636
CONFIRMATION NUMBER: 8813
FOR: METHODS AND COMPOSITIONS FOR RAPID DEVELOPMENT OF SCREENING ASSAYS

August 11, 2004
Cambridge, Massachusetts

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

**SUBMISSION OF PAPER COPY AND/OR COMPUTER-READABLE
COPY OF SEQUENCE LISTING FOR INVENTION CONTAINING
NUCLEOTIDE AND/OR AMINO ACID SEQUENCE**

1. This paper is in response to the Patent Office letter dated April 15, 2004.
 A copy of the Patent Office letter is enclosed.

Note: If these papers are filed before the Patent Office letter is mailed, the adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of the invention, the filing date on the Express Mail Label, the USSN from the return postcard or the attorney's docket number must be added.

 This paper is in compliance with the requirements for patent applications containing nucleotide sequences and/or amino acid sequence disclosures.
2. Submitted herewith are:
 - A Preliminary Amendment directing entry of the Sequence Listing into the specification;
 - a paper copy of the Sequence Listing for the above-identified patent application with each sequence assigned a separate identifier; and
 - a copy of the Sequence Listing in computer-readable form for the above-identified patent application.

APPLICANTS: Whitney, et al.
U.S.S.N.: 10/656,029

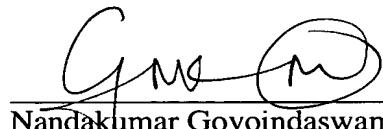
3. Statement:

I hereby state that: (*complete applicable items – A, B and/or C*)

- A. The content of the paper and computer-readable copies of the Sequence Listing submitted herewith are the same.
- B. The content of the computer-readable copy of the Sequence Listing submitted herewith is the same as the Sequence Listing appearing at the end of the originally-filed specification.
- C. This submission includes no new matter.

Applicants believe that no fee is required for the filing of the present submission. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment, to Deposit Account No. 50-0725, Ref. No. VPI/02-143 US2.

Respectfully submitted,


Nandakumar Govoindaswamy, Ltd. Recognition
Attorney(s) for Applicants
c/o Vertex Pharmaceuticals Incorporated
130 Waverly Street
Cambridge, Massachusetts 02139
Tel: (617) 444-6619
Fax: (617) 444-6483

Dated: August 11, 2004



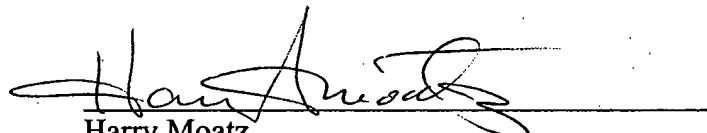
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Nandakumar Govindaswamy is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Vertex Pharmaceuticals, Inc. to prepare and prosecute patent applications wherein the patent application is assigned to Vertex Pharmaceuticals, Inc., and the attorney or agent of record in the applications is a registered practitioner who is an employee of Vertex Pharmaceuticals, Inc. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Nandakumar Govindaswamy ceases to lawfully reside in the United States, (ii) Nandakumar Govindaswamy's employment with Vertex Pharmaceuticals, Inc. ceases or is terminated, or (iii) Nandakumar Govindaswamy's current Employment Authorization card expires.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: December 1, 2004



Harry Moatz,
Director of Enrollment and Discipline